

Exhibit 5

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

In re: Q'Max America, Inc., et al¹ Debtors	§ § § § §	Chapter 7 Case No. 20-60030-CML Jointly Administered
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DECLARATION OF TOM DISCHMANN

My name is Tom Dischmann. I am over the age of eighteen (18), am of sound mind, and am in all respects competent to make this declaration. I have never been convicted of a crime and am in no way disqualified from making this declaration. I have personal knowledge of the facts stated in this declaration, which facts are true and correct.

1. I am Executive Vice President of CBRE, a licensed real estate broker.

2. I have read the Trustee's² Application and it is true and correct to the best of my knowledge. CBRE is seeking to list the following properties:

3. The Utah Property located at 2623 West 2000 South, Roosevelt, Utah

4. Both myself and Heather Lingmann will be the listing agents in charge; I am familiar with the real estate market in Utah and am familiar with the Property which are being marketed pursuant to this proposed engagement, and therefore, utilizing our services will be valuable to maximizing the benefit to the estates.

5. CBRE has not received any compensation or retainer related to this engagement and will only be compensated as set forth in the Listing Agreement attached to the Application as

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are: Q'Max America Inc. (2319) and Anchor Drilling Fluids USA, LLC (5395).

² Capitalized terms used but not defined herein shall have the same meanings ascribed to such terms as in the *Application to Employ CBRE, Inc. as Listing Agent and Broker*.

Exhibit A as authorized by this Court. A six percent (6%) commission for the Utah Property is an ordinary and standard commission to brokers for the sale of commercial real property. Neither I, nor any agent or broker at CBRE, have any connections to the Debtor, creditors, or any party in interest, their respective attorneys or accounts, the U.S. Trustee, or the Trustee or any of his employed professionals.

6. I further assert that I, CBRE, and the agents and brokers employed by CBRE: (a) are not creditors, equity security holders, or insiders of the Debtors; (b) are not and were not, within two years before the date of the Petition, directors, officers, or employees of the Debtors; and (c) do not have an interest materially adverse to the interest of the above-referenced bankruptcy estate or any class of creditors or equity security holders by reason of any direct or indirect relationship to, connection with, or interest in the Debtors for any other reason.

7. To the best of my knowledge, information, and belief, insofar as I have been able to ascertain after due inquiry, neither CBRE nor I hold or represent an interest adverse to Debtors. CBRE does not represent any interest adverse to the Trustee or Debtors in the matter for which CBRE is being engaged.

8. My brokerage firm can undertake representation of this matter without restriction of any type.

9. The employment of CBRE would be in the best interest of these estates.

Dated: February 14, 2022

CBRE, Inc
Licensed Real Estate Broker

By:


Tom Dischmann
Executive Vice President